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Security Council

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Letter dated 29 September 2006 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council

I have the honour to address you with regard to the Security Council's decision, of which I have been informed today, to deny the request by the Republic of Cuba, in its capacity as Chairman of the Non-Aligned Movement, to address the private meeting of the Council on "The situation in Myanmar", which will be held today.

We regret that decision, which reaffirms once against the validity of the Non-Aligned Movement's position on the need for an urgent and in-depth reform of the Security Council, including the reform of the working methods of this organ.

The request made by the Non-Aligned Movement to address the above-mentioned Council meeting was entirely justified and in full accordance with the provisional rules of procedure of this organ. The Non-Aligned Movement is made up of 118 States, including neighbouring States of Myanmar, whose interests are directly affected by the item under discussion.

We uphold the view that listening to the considerations of such an ample and representative number of Member States of the United Nations would be in the interest of the Security Council, providing it with a first-hand statement on all criteria before adopting suitable decisions on the issue in question.

Actions like this, based on an arbitrary and selective interpretation of the provisional rules of procedure of the Security Council, do not contribute to advancing towards the necessary transparency and representativeness that should characterize the work of an organ that, under the Charter of the United Nations, should act on behalf of all Member States of the United Nations.

I am hereby requesting that the text of the present letter and its annex, containing the statement Cuba was to make on behalf of the Non-Aligned Movement at today's private meeting on "The situation in Myanmar", be circulated as a document of the Security Council.

(*Signed*) Rodrigo **Malmierca Díaz**
Ambassador
Permanent Representative

06-54449 (E) 290906

Annex to the letter dated 29 September 2006 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council

I wish to thank you for the opportunity to express on behalf of the Non-Aligned Movement the concerns that have been expressed by member countries of the Movement on the inclusion of the issue of the situation in Myanmar in the agenda of the Security Council.

The Non-Aligned Movement reaffirms its principled positions pertaining to the cardinal requirement of upholding respect for the purposes and principles of the Charter of the United Nations, and of maintaining the relationship between the Security Council and other principal organs of the United Nations in accordance with the Charter, in particular on the question of encroachment by the Security Council on the functions and powers of the General Assembly and the Economic and Social Council, as well as other matters related thereto. The principled positions of the Movement on these issues have been transmitted to the President of the Security Council for the month of February 2006 through the letters of the Chairman of the Coordinating Bureau of the Non-Aligned Movement dated 10 February 2006 and 20 February 2006, as contained in documents S/2006/85 and S/2006/111, respectively, and the letter dated 10 July 2006.

The Non-Aligned Movement stresses once again that the decision by the Security Council to initiate a formal or informal discussion on the situation in any Member State of the United Nations or any issue that does not constitute a threat to international peace and security is contrary to Article 24 of the Charter of the United Nations. The Movement does not consider that the situation in Myanmar constitutes a threat to international peace and security and opposes attempts by a member of the Council to categorize the situation in Myanmar as such. Therefore, including this issue in the agenda of the Council would be in violation of the purposes and principles of the Charter, in particular Article 24. In this regard, the Movement further stresses once again the need for the Council to uphold the primacy of and respect for the Charter in carrying out its duties and responsibilities.

I also wish to inform the Council that the Fourteenth Summit Conference of Heads of State or Government of the Non-Aligned Movement in its Final Document adopted on 16 September 2006 "call(s) upon the Security Council to uphold the primacy of the respect for the Charter in connection with its functions and powers and stresses once again that the decision by the Security Council to initiate formal or informal discussions on the situation in any Member State of the United Nations or any issue that does not constitute a threat to international peace and security is contrary to Article 24 of the Charter".